

0033



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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INSPECTION REPORT

Partial _____ Complete XXX Exploration _____

Inspection Date: 12/12/2002 Time: 10:00am-4:00pm

Date of Last Inspection: 11/05/2002

Mine Name: Emery Deep Mine County: Emery Permit Number: C/015/015

Permittee and/or Operator's Name: Consolidation Coal Company

Business Address: P.O. Box 566, Sesser IL 62884/P.O. Box 527, Emery, Utah 84522

Company Official(s): Seth McCourt

State Official(s): Stephen J. Demczak Federal Official(s): None

Weather Conditions: Cold, Sunny

Type of Mining Activity: Underground XXX Surface _____ Prep Plant _____ Other _____

Existing Acreage: Permitted 5180 Disturbed 247 Regraded _____ Seeded _____

Status: Active

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

- Substantiate the elements on this inspection by checking the appropriate performance standard.
 - For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
 - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	EVALUATED	N/A	COMMENTS	NOV/ENF
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL ISSUES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4 th Quarter- April, May, June)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INSPECTION REPORT
(Continuation Sheet)

PERMIT NUMBER: C/015/015

DATE OF INSPECTION: 12/12/2002

(COMMENTS ARE NUMBERED TO CORRESPOND WITH TOPICS LISTED ABOVE)

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

The permittee has received an approval for the 4th East Portal amendment. The approval was given with stipulations. These are to submit as-built drawings and to revise the reclamation plan. Mining started December 12, 2002.

OTHER PERMITS ON FILE AT MINE SITE

- Division Oil, Gas, and Mining (expires 01/08/2006).
- BLM ROW Grant.
- DEQ Air Quality Order.
- DEQ UPDES permit (expires 06/04/2004).

2. SIGNS AND MARKERS

The identification signs are properly labeled to comply with the R645 Coal Rules.

3. TOPSOIL

There were no signs of wind or water erosion on the topsoil piles at Emery Deep.

4A. HYDROLOGIC BALANCE: DIVERSIONS

The diversions were spot-checked and complied with the performance standards.

4B. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

The permittee had taken the third quarter sediment pond inspection on September 11, 2002. No hazardous conditions were reported. The permittee did meet the UPDES requirements for the third quarter.

4C. HYDROLOGIC BALANCE: OTHER SEDIMENT CONTROL MEASURES

Silt fences were inspected and complied with the performance standards.

4D. HYDROLOGIC BALANCE: WATER MONITORING

The permittee has not entered the third quarter water information into the Electronic Data System. The permittee has been notified that the information must be submitted electronically to the Division by the end of the fourth quarter or December 31, 2002.

The permittee was in the process of taking fourth quarter water samples.

4E. HYDROLOGIC BALANCE: EFFLUENT LIMITATIONS

The permittee was complying with the third quarter UPDES permit.

INSPECTION REPORT
(Continuation Sheet)

PERMIT NUMBER: C/015/015

DATE OF INSPECTION: 12/12/2002

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

The permittee has taken the third quarter refuse pile inspection. This was taken on September 11, 2002. It has been P.E. certified on December 12, 2002.

No hazardous conditions were noticed during the inspection.

8. NONCOAL WASTE

The area was cleared of non-coal waste material.

14. SUBSIDENCE CONTROL

The permittee has completed the subsidence monitoring for 2002. This information will be in the annual report.

15. CESSATION OF OPERATIONS

The permittee is officially mining coal.

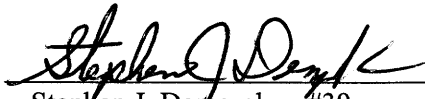
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS

The permittee is still constructing the truck loadout at the 4th east breakout.

21. BONDING AND INSURANCE

The surety bond is in place for \$3,454,443. The disturbed area acreage is 247 acres and the permit area is 5180 acres.

Insurance documents are on file as required under the Utah coal rules. The Acord form complies with the R654 Coal Rules. The company affording coverage is Lumbermen's Mutual Casualty Co. The policy will expire on November 5, 2003.

Inspector's Signature:  Date: December 16, 2002
Stephen J. Demczak #39

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas & Mining.

cc: James Fulton, OSM
Tim Kirschbaum, Consol, Illinois
Steve Behling, Consol, Emery
Price Field office

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